

REMARKS

Claims 1-5, 7-14, and 16-18 are pending. Claims 7, 9, 11, 16 and 18 have been withdrawn from consideration by the Examiner for being directed to non-elected subject matter. By this Amendment, Claims 6 and 15 are canceled without prejudice or disclaimer, the subject matter recited therein incorporated into Claims 1 and 12, respectively, and Claims 1, 10, 12-14 and 16-17 are amended. Support for the amendments is provided in the application as originally filed, see, for example, Claims 6 and 15, and Figure 3.

Applicants respectfully submit that no new matter is presented herein.

Claim Rejections – 35 U.S.C. §102

Claims 1-6, 8, 10, 12-15 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 6,343,590 to Nagai et al. (Nagai). Applicants respectfully traverse the rejection for at least the following reason(s).

Claims 1 and 12 each recite a vaporized fuel processing device having, among other features, a space disposed directly between a fuel cut valve and a diaphragm valve unit.

Applicants respectfully submit that Nagai fails to disclose or suggest such a feature.

Rather, Nagai clearly teaches a negative pressure check valve (40) disposed between the cut valve (30) and the space (22k) in which the diaphragm valve unit (2-4) is disposed such that the space (22k) is disposed indirectly between the cut valve (30) and the diaphragm unit valve (2-4).

Put simply, the presence of the negative pressure check valve (40) between the cut valve (30) and the diaphragm unit valve (2-4) in the Nagai canister module prevents the space (22k) being disposed directly between the cut valve (30) and the diaphragm unit valve (2-4).

To qualify as prior art under 35 U.S.C. §102, each and every feature of a rejected claim must be disclosed by the applied art of record. Because Nagai fails to disclose or suggest each and every feature recited by Claims 1 and 12, Applicants respectfully submit that Claims 1 and 12 are not anticipated by Nagai and are not rendered obvious in view of Nagai either.

For at least these reasons, Applicants respectfully submit that Claims 1 and 12 should be deemed allowable.

Claims 2-5, 8 and 10 depend from Claim 1. Claims 13-14 and 17 depend from Claim 12. It is respectfully submitted that these dependent claims should also be deemed allowable for at least same the reason(s) Claims 1 and 12, respectively, are allowable.

Withdrawal of the rejection is respectfully requested.

Rejoinder of Claims 10-11 & 16

As noted in the Office Action dated October 5, 2007, Claims 1 and 12 are generic. Accordingly, upon the allowance of generic Claims 1 and 12, Applicants respectfully request the rejoinder of non-elected Claims 7, 9, 11, 16 and 18, as provided by 37 C.F.R. §1.141.

Conclusion

In view of the above, reconsideration of the application, withdrawal of the outstanding rejection, allowance of Claims 1-5, 8, 10, 12-14 and 17, and the prompt issuance of a notice of allowance is respectfully requested.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107355.00110.**

Respectfully submitted,



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